

ORLEANS PARISH GRAND JURY
SPECIAL INVESTIGATION

June 28, 1967

ORLEANS PARISH GRAND JURY

PROCEEDINGS OF

JUNE 28, 1967

SPECIAL INVESTIGATION

PRESENT: MR. JIM GARRISON, DISTRICT ATTORNEY, and
MESSRS. ALVIN OSER, JAMES ALCOCK, RICHARD BURNES,
ANDREW SCIAMBRA and WILLIAM MARTIN, ASSISTANT
DISTRICT ATTORNEYS

MEMBERS OF THE ORLEANS PARISH GRAND JURY

WITNESS:

MR. DEAN A. ANDREWS, Jr.

* * * *

Reported By:
Maureen B. Thiel,
Secretary, Orleans Parish
Grand Jury

DEAN ANDREWS, Jr., after being duly sworn by the Foreman of the Orleans Parish Grand Jury, was questioned and answered as follows:

MR. ALCOCK:

Q. Please state your name for the record?

A. Dean Andrews, Jr.

Q. You are represented by counsel?

A. Yes, Monk Zelden.

Q. Have you conferred with Monk Zelden today?

A. Yes.

Q. Have you earlier expressed a desire to come before the Grand Jury?

A. I conveyed it to Judge Bagert.

Q. Did you do it with the knowledge of Monk Zelden?

A. No.

Q. You still desire to appear before the Grand Jury?

A. I would not be here.

Q. You would not be here unless you desired to

A. You would not have found me to give me that piece of paper.

Q. In other words, you are appearing willingly, is that right?

A. Right.

Q. And you are aware of your Constitutional rights?

A. Right.

Q. You are an attorney, aren't you?

A. Right.

Q. You are an Assistant District Attorney for Jefferson Parish?

A. Wrong.

Q. Well, you were.

A. Were. Former.

Q. And you know that anything you say can be held against you?

A. Yes.

Q. And you know if you tell a lie you can be indicted for perjury?

A. I'm already indicted. Only which one, 123 or 124?

Q. Dean, what did you have to tell the Jury?

A. This is the story I would like to tell you all. I have been indicted for perjury in a case involving the material facts with a man by the name of Clay Shaw, alias Clem Bertrand, or whatever you call him. He is not the person I know, I have never seen this man, Shaw, never talked to him, never listened to his voice on TV or anything. His relationship with the District Attorney's probe into the assassination of Kennedy as Clay Shaw - he may have a case against the man, I don't know, but Clay Bertrand, or Clem Bertrand in relationship to my knowledge of the person I believe to be Clay Bertrand, there is no connection. The other point is a strange phenomena

on Manuel Garcia Gonzalez, and I was surprised in doing some work downstairs there is a case filed against Manuel Garcia Gonzalez and the Manuel Garcia Gonzales that I discussed with some people , he doesn't exist. I have been treating this as a joke because there is no other way to treat it. It is not easy to sit up, sit still and get your brains knocked out. You really get guttered when you go do something like this. I can never go back to the life I have had before. it doesn't make any difference to me if I am convicted or not, the life that I lived and the personality that I was before all this started, I can't go back to it. *Confession*

The practice of law- I wouldn't give you 3 cents for it, you can have it. You never get it again. If you had indicted me for murder, I would have got away with it, indict me for anything other thing than what I got indicted for - if this case is based on the fact that Clay Shaw is Clay Bertrand it's a joke. Now the joke has been on me. Possibly I deserved it, the joke to be played on me because I am the one who ain't spouted off to the Warren Commission. I told nobody to go read what I told the Warren Commission, draw conclusions and take advantage of what I told the Warren Commission to take off like a striped ape and go up ~~thru~~ the alley and do anything.

That's what I got to tell you all.
Question by Assistant District Attorney James Alcock:

Q. Dean, do you know who the real Clay

A. The man I believe is Gene Davis, and if you ask him he'll call me a crocosack of lies, the boy don't want to be bothered, he is vulnerable, just bought a joint that he is trying to pay for, and you all have some charges against him pending now, all you got to do is pull the light, push him and he's gone.

Q. Now, can you identify the person you state is Gene Davis? (shown pictures)

A. That is him.

Q. Both of those pictures?

A. Yes.

Q. Put initials on the back and the date.

A. This is the man I believe and what ^{he} ~~you~~ believes is your problem. I've read the law too.

Suppose I made him up - you all would really be up the creek.

Q. Now what leads you to believe that this is Clay Bertrand?

A. Because I believe it. I am the only one who has to account for myself.

Q. What basis do you have?

A. Helen Gert - - back in the 50's, at the fag wedding/^{reception} I was telling you all about, introduced me to Davis as Clay Bertrand.

Q. Who did?

A. Helen Gert, big Joe, Butch ... You all sent her up/ she to Gola is on Ponderosa there and got out and got busted for trying to bribe a policeman - I haven't been able to find her.

Q. Is she still in town?

A. No, she's been gone a good while. .

Q. Is she at Angola?

A. No. I think she is dead like everybody else in this case.

Q. Helen G e r t?

A. No, Helen Girt - you all have her down in the record, she was sentenced to 5 years on one or two charges against her for narco.

Q. And this was the man who was introduced to you as Clay Bertrand?

A. Right.

Q. Have you talked to this man on the phone recently?

A. I talk to him almost every day. I have known him a long time.

Q. Your testimony now is that this is the man who sent clients to your office? Talked to you on behalf of homosexuals?

A. This is the man who sent clients to my office, sometimes they were fags sometimes they weren't.

Q. Is this the man who called you in the hospital and asked you to represent Lee Harvey Oswald?

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P19

4

P19

A. This is the man I believe called me. I believe - what
you all believe is your affair.

Q. Has he ever told you he was Clay Bertrand?

A. No.

Q. Have you released this publicly that this man is Clay Bertrand?

A. Yes.

Q. Have you given this name to the Justice Department?

A. Yes.

Q. Have you given it to NBC?

A. No, just to the Justice Department.

Q. When did you give the name to the Justice Department?

A. A while back.

Q. To your knowledge is this the man referred to in the NBC program?

A. I would not know. Because I never gave them people anything.

JUROR:

Q. I would like to ask if this fellow Davis ever participated in any of these fag weddines?

A. I thinkhe worked at the Rendevous Bar, I am not too sure. Like I told you all before - pick a year in the 50's - I just happened to come out of the Civil District Court and I knew the joint from the time I spent in the Quarters as an undergraduate - I used to walk in and out of there all the

time. You would walk in the door, and the bar, there was a door on Bourbon Street and a door on the corner where the Red Garter is now. You go in the side door, in the back, was a piano bar on righthand side on the Bourbon Street side, and a place for dancing and chairs. Well, there was nobody behind the bar and turn to the right by the pinball machine the crowd was back there so I just went there.

Q. You were introduced to him as Clay Bertrand?

Big Joe,

A. By Helen Girt/- she introduced me to Eugene Davis as Clay Bertrand.

Q. Did you receive any phone calls from him prior to that time?

A. I knew him as Gene Davis. We never kicked around. If what you are driving at is this. Let me explain this. After the call came through on a Saturday it was not in context with he knowing Lee Oswald, didn't have a thing to do with this bit. Just like I'd call you and say look, I know a guy maybe I can get him for your client. You know that kind of stuff. Then Monday I called John Rice, the Monday after the President was assassinated. His office.... all I wanted to tell him was that Oswald had been in New Orleans in the summertime - so I called Regis Kennedy, another fellow I knew, he couldn't care less either. They must have put it on the horn and it went up the hill and came back down because I forget the time but they had more fuzz than you can shake a stick at. I had

instant police. I had just taken medication, pick, pick, pick, pick, just like you are trying to find exact particulars. Well, I don't even remember too much who called, but it dawned on me that the context that they were taking - this phone call - this guy was in cahoots with Oswald. I remembered the name Clay, but I could not think of Bertrand, and I hemmed and hawed and battered around and finally I remembered Bertrand, and its been a legend ever since then.

Q. Was the voice you heard on that day the voice you associate with Gene Davis?

A. Right.

Q. Do you see him quite often?

A. Almost every day.

Q. And you were introduced to him as Clay Bertrand? Back in the 50's?

A. Right.

Q. And you feel, and have felt all along, that this is the man who was calling you? Is this Clay Bertrand?

A. Not in the context you people take Clay Bertrand..,

Q. I am not talking about context

A. Wait. The words inflex - you all word choice and the emphasis you put on it leaves me to believe you speak of Clay Bertrand involved in here and not back in the 50's. Now if you take

me and put me in the character and on the scene you want to put me and just don't give it a general question, you know, I will be glad to go with you.

Q. We asked you before this Grand Jury/whether or not you knew who Clay Bertrand was? And you categorically said you didn't know.

A. You have got sworn testimony here and you ask me the question here, what do you want me to do, pop up like a whale. I'm damned if I do and damned if I don't.

Q. Don't you think you could have told the Grand Jury this the last time you were here?

A. What difference does it make.

JUROR:

Q. Why would you make a statement like that?

A. This man was indicted and charged as Clay Bertrand. Nobody can do anything about it. It has to go through its judicial process, unless I read the law wrong. You see, what you all don't know is that since all this happened

Q. Tell me this, can I interrupt?

A. Yes.

Q. You claim you saw this man in a bar in the French Quarter and that when you recognized him he got up and ran out a side door - is this the same man that we are speaking about right now?

A. My recollection is

Q. Is this the same man?

A. Wait a minute - you are putting words in my mouth.

Q. I asked you a question?

A. The answer to your question is no and I would like to explain it. What I said was I saw a man I believed - all of this happened just like this - walk in the door, pop, pop, pop, I could not tell you he was, or was not, because he got up and left. By the side door.

Q. He doesn't resemble this picture you just identified?

A. Yes.

Q. Do you believe this is the same man?

A. This is the man in the context of the telephone call.

Q. I want to know if this is the man you saw running out of the door?

A. Just as I said in the Warren Commission Report

Q. Never mind about the Warren Commission Report.

A. Well, I've got to get stuck with it

Q. Well, what did you tell the Warren Commission about the man you say is Gene Davis?

A. What you don't know is- people have been in my office, experts, quasi experts, critics, all pick you like a chicken and shuck you like corn, they never quit- like this case may be solved or may not be solved, I don't know. They bug you to death.

1 I have decided that it was not necessary for this man
to be exposed to what I have been exposed to. He is a
client of mine. So I elected a course and was stuck with it.

Q. You elected a course at first.

A. No, you say that.

Q. You knew who the man was and yet you did not

A. All right, show me any transcript where you all asked me that?
I don't remember - I'll lay you 8 to 5 it ain't there.

JUROR:

3 Q. I asked you a question when you came in earlier. You said
you could not recognize Clay Bertrand - we were talking about
this particular time when you walked into the bar - and you
said you were going to find Clay Bertrand, we said how will
you find him if you don't know what he looks like, and I said
I cannot understand how you can go looking for a man and
expect to find him when you don't know what he looks like, and you
said when I find him I will know him by instinct. And I quote.

A. You have a good memory. Could I have the transcript? I
need 2 transcripts, one of the Warren Commission and the other...
now you probably did ask me, I don't remember because it was
a long time ago. It all involves the same question this gentle-
man asked me - in Cosmos' Bar when Davis was there, you see?

Q. Davis worked there?

A. Well, the man I believe to be Clay Bertrand. You are taking me out of context. If you can give me the transcript I will look and see.

Q. I would like to get back in context. The man you saw in this bar who went out the side door when you saw him, like it happened bump, bump, bump, just like you say, ^{he} is/the man whose picture you just initialed, yes or no?

A. I can't tell you yes or no, he is the man at that time - the short time I saw him - I believe to be Clay Bertrand. I can't answer yes or no.

Q. You believe it to be Clay Bertrand, and at one time you described this man as about 6'4".

A. All right, let me suggest this. Clay Shaw is not Clay Bertrand. *Confess*
Now if you want to go ahead and indict me and convict me of perjury, go ahead and do it. But it doesn't alter the fact that Clay Shaw is not Clay Bertrand.

Q. Dean, how many times did we have you in our office before we took you before the Grand Jury and if you had told us that

A. I told the Jolly Green Giant in Brennan's Restaurant he wasn't that.

Q. You told Jim Garrison that

A. Right. No. I told him that Clay Shaw was not Bertrand.

Q. Well, you didn't even say that here.

Confession

13.

A. You never asked me. And at the time you all were
A'ing
Q and A'ing me, I was trying to hedge. I kept my deal
with the Big Giant. I told him, I say I can't say yes, and
I can't say no. And I stuck to it. And I got indicted for
it.

Q. Didn't you tell Ed Planer - he called you - he said he
your
had/permission to tell us

A. And you all were going to cite him for contempt too. He don't
have to take that rap. I don't blame you for citing him for
contempt.

Q. In other words, you are going to take the rap? Is that your
position?

A. No, I am not protecting anybody. You all don't know what
happened in Brennan's and nobody has ever asked me. There is
nothing material to this investigation that I have been asked
that I can find out except one issue and is Clay Shaw Clay
Bertrand - suppose I made it up out of my head, where are
you at? I was full of pills and I often thought of taking that
route, cause this is the easy way out. I had the stage all
set, Regis Kennedy said you are loaded with pills, you made
it up out of your head - suppose I stick with that, where
are you at? You may have me, but I am not indicted for the
assassination of President Kennedy - I didn't tell anybody

to read what I said, draw up conclusions and go. Supposing it is a figment of my imagination. I will tell you like I told them, if I don't call Eva Springer right after this phone call came through I would agree with Regis Kennedy and say I was on heavy sedation and dreamed it all up. The call never came through - where is your indictment then?

Q. The point is you haven't seen this man

A. The point is he and Davis

Q. This is the question: have you seen Gene Davis continually since then?

A. Yes.

Q. All right. Then did you see him every day?

A. Not every day, enough so that I know who he is, I represent him .

Q.1 You represent the man?

A. Right.

Answer by Howard Jones

Q. In your mind, this is Clay Bertrand? The man who called you

A. down through the years representing homosexuals?

A. No, he didn't do it that way. That's the way I said it.

Put it into the Warren Commission Report- everybody picks it up from there and goes with it. I never said it other than in the Warren Report.

Q. When was the last time you represented him?

A. Wray Gill represents him. Yesterday I represented him in a matter- he is one of about six clients I have left.

MR. OSER:

Q. Dean, when did you tell Ed Planer that you knew him as Clay Bertrand? The first time you told anyone?

A. Today.

Q. Today is the first time?

A. Right. The only people I told that to was the Department of Justice.

Q. Do you know how NBC found out?

A. What difference does it make? Let's go down and ask the Judge to rule if that is a material question. If he says it is I am going to answer it.

Q. Do you know?

A. I am not going to answer it unless its a material question. Let's go see the Judge. This is getting way off in left field.

MR. ALCOCK:

Q. What is the question?

MR. OSER:

A. I asked him if he knew how NBC found out what they mentioned on their program about Clay Bertrand?

A. (Mr. Andrews)

I told Ed Planer, I told the Justice Department, and if I did tell NBC it was inadvertently and in error. I don't remember.

Q. When was the first time you ever told Ed Planer?

A. Today

Q. You didn't tell him two weeks ago?

A. No.

Q. You didn't tell him a month ago?

A. No, not that I can recall.

MR. ALCOCK:

Q. Dean, when you testified 'last time'

Q. Either you, I or Ed told them.

A. Oh, it ain't that. I don't remember, I don't pay that much attention to this thing. I got enough troubles trying to make bread. I know I said it to Ed today - I said go down there and tell 'em I said so.

Q. You must have told them at a prior date or they wouldn't have called you.

A. I don't recall. I could have. The person I recall talking to is the representative of the Department of Justice. Now, inadvertently and yaking around and in talking with these people when I decided to play games, I might have told them.

Q. Who was the representative of the Justice Department? If you can recall?

A. That's not material to this.

Q. Who was the representative?

A. I am not going to answer it. Let's go down and see Judge Bagert - if that is material

JUROR:

Q. Why are you so anxious to go see the Judge?

A. Because I have some rights here too. I don't have to answer everything, every question.

MR. ALCOCK:

You have to answer every question that doesn't incriminate you, and you know it. Materiality hasn't got a thing to do with it.

A. Well, then, I'll answer you. Gene Palmisano.

Q. U. S. Assistant Attorney, right?

A. Right.

Q. When you testified here before this Grand Jury, while you were testifying you knew that the person you associated with Clay Bertrand was Gene Davis, isn't that correct?

A. Right.

Q. And you didn't tell us that?

A. Now, let's get the record straight. Let's see if you asked me. I am pretty sure you all didn't ask me that? You were so busy catching me on conflicting statements that you never got around to asking that.

Q. That is not so. That is the reason you came in here for, You were asked if Clay Bertrand and Clay Shaw were one and the same man and

Confession

A. T told one man - he was sitting right here - where is he at -
I told you all I can't say he is and I can't say he isn't -
I said, you want my personal opinion, he ain't. And if that's
not answering you I am a Chineese aviator.

JUROR: *Richard V. Bunker*

Q. If I remember correctly I think you said you saw him on two
occasions.

A. Well, what difference would it make how many times I saw him -
I did tell you all that if you wanted my personal opinion -
I can't recognize the juror that I told that too - he was
sitting at my left - and I said you want my personal opinion
it was almost before we were ready to break up. I said I
can't say he is and I can't say he ain't.

Q. The reason is that I asked you the same thing twice.

A. Well, I answered you once. I don't care if I committed
perjury 50,000 times - that one time of telling you he ain't
clears me of it. For I flat told you all. If you want my
personal opinion yes, he ain't. I do remember that.

Confession

Q. You did say once that you couldn't say he was and you couldn't
say he wasn't.

A. All Right, Dick, you get the transcript and I'll show you
the place. It's right in there. You want my personal
opinion, yes, he ain't.

Q. But your answer the first time

Confession

19.

A. Well, what difference does it make? I am indicted for it
take me up and let me get it over with it. Now let me go
on about and make some money - I can't make no money like
this, let's go to trial and get it over with. Because I told
you all that, I said Clay Shaw ain't Clay Bertrand. And
that's material. And you all were flat told that. Cause
I said so.

Q. You also told us you never saw

Confession

A. So I lied, I committed perjury - I don't know what I told
you. Give me the transcript, Dick, I am not as sharp as you
are. Let me see in there what I said - I can't remember
that but I am flat telling you all that if you want my personal

Opinion the answer was yes, he ain't.

Question by Richard V. Bunker Constant District Attorney

Q. I asked you if you ever heard from Clay Bertrand after the time
you were called about representing Lee Oswald in the assassina-
tion and the answer was I ain't seen nor heard of him since.

A. Not from Clay Bertrand cause I call him Gene Davis.

You are right, I told you that, and I ain't seen him nor heard
of him nor heard from Clay Bertrand .. other than one time I
remember when I was with Regis up there, I call him Gene, I
was introduced to the man one time.

Q. Did this man change appearance and change personality with the

name change?

A. No.

Q. He still looked the same?

A. No, he has changed, he is fat like me, he's aged. Time has gone by, this has been 10

Q. Going back, when you knew the District Attorney was accusing Clay Shaw and Clay Bertrand of being the same person, why did you not come forth at that time if you knew they were not the same person?

A. Well, he had me convinced like he had everybody else, and the only out at that time was to call John Rice in Washington, D. C. and tell him that I believed that Jim Garrison had solved the murder. Now what you all are forgetting is just like I told them in the D.A.'s office, and like I told the Jolly Green Giant, I will help you all I can but if you push me I am going to put down. I told the Jolly Green Giant this, look at the transcript and you will see it in there, I can't say he is and I can't say he ain't. That is what I told the man. Push, push, push

FOREMAN:

Thank you, Dean, you are excused.

C E R T I F I C A T E

I hereby certify that the preceding transcript is a true and correct copy of the testimony given, under oath, in the preceding matter, before the Orleans Parish Grand Jury, on the 28th day of June, 1967, and reduced to typewriting by me.

Margaret B. Thiel